

**Report of: Executive Member for Housing and Development**

<b>Meeting of:</b>	<b>Date:</b>	<b>Ward(s):</b>
Council	3 March 2022	All

<b>Delete as appropriate</b>	Exempt	Non-exempt
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**SUBJECT: Future arrangements for the management of  
Islington's waste:  
Adoption of North London Waste Plan****1. Synopsis**

- 1.1 The seven North London Boroughs of Barnet, Camden, Enfield, Hackney, Haringey, Islington and Waltham Forest (the Boroughs) have worked jointly to produce the North London Waste Plan ('NLWP'). The NLWP will cover the period up to 2035 and will form part of the statutory Development Plan for these areas.
- 1.2 The purpose of the NLWP is firstly to ensure there will be adequate provision of suitable land to accommodate waste management facilities of the right type, in the right place and at the right time to manage waste generated in North London up to 2035; and secondly to provide policies against which planning applications for waste facilities will be assessed, alongside other relevant planning policies/guidance. Islington has one existing waste site at the Hornsey Street Reuse and Recycling Centre. The NLWP identifies no further land for waste uses in Islington.
- 1.3 The draft NLWP has been through several rounds of consultation and has been produced in line with relevant legislative and governance procedures.
- 1.4 The Inspector's final report was received on 27 October 2021 which, subject to modifications, found the NLWP sound and appropriate for adoption. The NLWP can therefore now be adopted by Islington and the other North London Boroughs.

## **2. Recommendations**

- 2.1 To approve for adoption the North London Waste Plan (appendix 1) which incorporates the main modifications recommended by the Planning Inspector (appendix 3) and other minor modifications previously approved by officers.
- 2.2 To delegate authority to the Corporate Director of Wealth Building to approve administrative alterations, typographical amendments, to improve cross referencing (e.g para numbering, page numbering) and typographical errors prior to the publication of the final plan.
- 2.3 To note that the approval of the NLWP is separate to that for any planning application for a waste facility, including the proposed Energy from Waste facility in Edmonton which was granted a Development Consent Order by the Secretary of State on 24 February 2017.

## **3. Background**

- 3.1 The NLWP sets out the planning framework for waste management in the North London Boroughs covering the period up to 2035. The requirement to produce a waste plan is set out in national and London planning policy. The NLWP identifies land suitable for waste management use and the policies for determining waste planning applications. The NLWP forms one part of the Islington Local Plan alongside three other Development Plan Documents which are currently being prepared; the Strategic and Development Management policies, the Site Allocations and the Bunhill and Clerkenwell Area Action Plan. These three documents are separate to the NLWP and unique to Islington. The NLWP is a joint document which has been developed with seven North London boroughs.
- 3.2 The seven North London boroughs of Barnet, Camden, Enfield, Hackney, Haringey, Islington and Waltham Forest ('the boroughs') agreed in 2006/07 to undertake a joint Development Plan Document (the NLWP) to meet their waste needs as set out in the London Plan (their 'apportionment'). At the same time, the Boroughs agreed a Memorandum of Understanding (MoU) on how they would work together to prepare the joint plan and progress it through to adoption by all seven boroughs.
- 3.3 The Boroughs originally submitted the joint waste plan for Independent Examination by a Planning Inspector in February 2012. The Planning Inspector considered that the plan did not comply with the legal requirements of the Duty to Co-operate, which was introduced by the Localism Act when the plan was at an advanced stage. Following this, the Boroughs commenced work on jointly preparing a new version of the plan which fulfilled the Duty to Cooperate.
- 3.4 The NLWP is distinct from the Council's function as a Waste Collection Authority and the North London Waste Authorities responsibility as Waste Disposal Authority. In addition to ensuring suitable land is available to manage household waste the NLWP also has to consider the management of waste from businesses and the construction industry as well as other more specialist sources of waste. The process of preparing the NLWP is separate to that for any planning application for a waste facility which will need to be consulted on and determined separately.

## Content of the Plan

3.5 The NLWP provides the basis for making planning decisions on waste facilities and sets out the baseline for levels of waste from all waste sources in North London. The intention of the NLWP is to set out the planning framework for the management of North London's waste and to ensure there will be adequate provision of waste management facilities of the right type, in the right place and at the right time to manage this waste.

The NLWP:

- sets out the waste management needs of North London and demonstrate how these needs will be met during the plan period;
- identifies suitable sites and broad areas for waste management facilities;
- includes development management policies against which planning applications for waste development will be determined; and
- safeguards existing waste sites

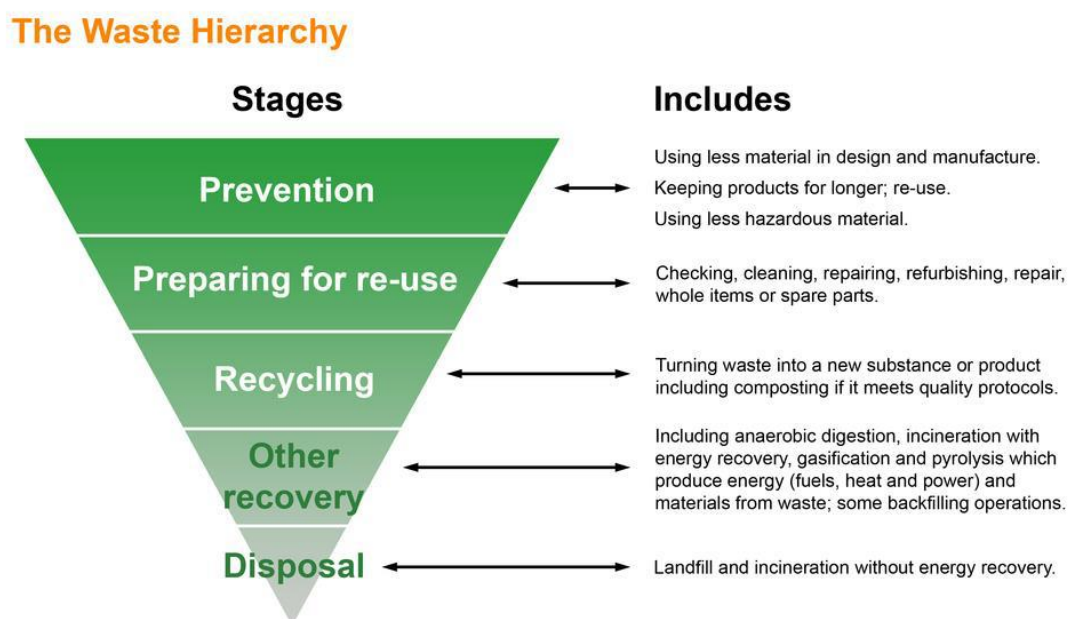
3.6 The NLWP models North London's future waste arisings for each of the relevant waste streams which must be planned for incorporating various economic and population growth assumptions in order to identify the need. To meet these future waste management needs the NLWP seeks to achieve net-self sufficiency; net self-sufficiency means providing enough waste management capacity to manage the equivalent of the waste generated in North London.

3.7 In considering future waste management needs the NLWP takes into account the recycling targets set out nationally and at a London level. The London Plan (March 2021) sets a target of 65% recycling of municipal waste by 2030. This ambitious London-wide target is informed by the London Environment Strategy which aims to achieve 45% household waste recycling by 2025 and 50% by 2030, which when combined with higher targets for business waste achieves the overall target of 65%. The NLWA contributes to these targets with a Joint Waste Strategy demonstrating how the waste collected by the boroughs will be managed.

3.8 The need for capacity across the waste streams was considered against the existing waste management capacity which was insufficient to meet these needs. In line with London Plan policy existing waste capacity is protected. An extensive site and area search and selection process was undertaken involving a number of stages which resulted in the plan identifying further land in North London suitable for a range of new waste facilities – the land is identified as "Priority Areas".

3.9 The NLWP is part of a wider but integrated approach that will help to deliver sustainable waste management in North London, alongside such measures as improved resource management, and waste prevention and reduction strategies which are outside the planning framework. The NLWP aims and objectives reference and integrate the waste hierarchy – the principle behind the waste hierarchy is to drive the management of waste up the waste hierarchy as set out below.

Figure 1: Diagram of the Waste Hierarchy



3.10 As waste planning authorities (WPA), Councils are responsible for producing waste Local Plans that cover the land use planning aspect of waste management for their areas in line with the Waste Management Plan for England. This is distinct from the Council's function as a Waste Collection Authority (WCA) and the North London Waste Authorities function as Waste Disposal Authority (WDA). Both these functions relate to the Council's responsibility for collecting and disposing of household waste. The land use planning aspect of waste management and the Council's role as planning authority means the NLWP has to consider all sources of waste including the waste produced by businesses and the construction industry as well as householders waste. Other more specialist sources of waste such as hazardous waste are also considered by the NLWP.

### **Consultation, submission, hearings, modifications and further modifications**

3.11 The Executive agreed in July 2015 to publish the draft NLWP for consultation. The Draft Plan consultation took place that summer and provided the first opportunity since the previous plan was not adopted for stakeholders to make comments on the strategy for future waste management in North London, potential locations for new facilities across the area, and policies.

3.12 The NLWP was approved by Islington at Full Council on 6 December 2018 for publication consultation (Regulation 19) and submission. As part of the formal approval, Full Council agreed that delegated authority for any changes to the North London Waste Plan and supporting documents prior to, and during, the Independent Examination into the Plan would be given to Corporate Director of Environment and Regeneration in consultation with Executive Lead Member.

3.13 The NLWP was submitted to the Secretary of State 8 August 2019 and the Independent Examination hearings took place in Camden, the lead borough for the NLWP, on 20 and 21 November 2019.

- 3.14 In advance of the hearings the boroughs presented some proposed modifications to the Inspector. The modifications responded to representations received at the Regulation 19 consultation. Following the Examination hearings the Boroughs worked on additional modifications to address the issues raised by representors and the Inspector at the hearings. These modifications were approved by each borough.
- 3.15 The modifications consultation ran for 6 weeks from October to December 2020. There were no Islington specific comments made during the consultation. Further modifications were proposed as a result of comments received as part of the modifications consultation and approved by each borough again.

## **Adoption**

- 3.16 The further modifications and representations made during the modifications consultation were submitted to the Inspector in May 2021. The Inspector provided the north London boroughs with his report on 27 October 2021 (appendix 2). The report confirms that subject to modifications the plan meets the required legal and soundness tests, including duty to co-operate and procedural requirements and is suitable for adoption. The Councils requested that the Inspector recommend the main modifications necessary to rectify matters that make the NLWP unsound and unable to be adopted; the Inspector considered a number of main modifications necessary (appendix 3). The NLWP (appendix 1) incorporates the main modifications and minor modifications. The main modifications are summarised in the Inspectors report (appendix 2) and include:

- Amended aims and objectives to ensure general conformity with the London Plan.
- Amendments to Section 4 to ensure that the approach to the management of waste and the identification of the location for new facilities are consistent with the aims and objectives.
- Providing a clearer explanation of the evidence and the methodology for the identified waste that needs to be managed.
- Further explaining the selection process to identify areas to manage waste needs, ensuring this is consistent with the spatial principles of the Plan.
- Providing further explanation/justification for the identification of the Preferred Areas for the management of waste.
- Ensuring that waste management development proposals provide an adequate balanced approach to protect people and the environment whilst delivering the aims, objectives and spatial principles of the Plan.
- Revising the monitoring and implementation framework to provide a more robust mechanism to assess the delivery of the Plan.
- Revising the guidance in Appendix 2 regarding the detailed development requirements to accompany any future planning applications for waste management development.
- Other modifications for consistency with national policy.

## **4. Implications**

### **4.1 Financial implications:**

Under the NLWP MoU the boroughs have agreed to share the costs equally. The costs to be shared include the cost of the consultants, the one member of staff employed by Camden as the lead borough for the various consultations and the cost of the Independent Examination. The costs of preparing the NLWP have been included in the overall budget for preparation of Islington's Local Plan.

## **4.2 Legal Implications:**

The Council, at the meeting of the Executive on 16 July 2015, agreed a revised Memorandum of Understanding (MoU) about joint working on the NLWP. This has been agreed and signed by all other NLWP boroughs. The MoU sets out how the boroughs will cooperate and carry out work to prepare the NLWP, makes Camden the lead borough and deals with financial matters and dispute resolution. Other legal implications are included within the body of the report.

## **4.3 Environmental Implications and contribution to achieving a net zero carbon Islington by 2030:**

The main environmental impacts of the NLWP are the disposal of waste through incineration and landfill and the transport of waste. The plan aims to mitigate these impacts by reducing the amount of waste sent to landfill and encouraging recycling and by ensuring that north London is self-sufficient in terms of waste management, reducing the transport-related impacts. It sets out a robust framework for managing waste in a sustainable manner. The environmental and other impacts of the North London Waste Plan were considered in detail as part of the Sustainability Appraisal for the plan. This is available on the NLWP website.

## **4.4 Equalities Impact Assessment:**

The council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010). The council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The council must have due regard to the need to tackle prejudice and promote understanding.

Previously Resident Impact Assessments (RIA) have been completed at each reporting stage of the NLWP. The RIA concluded that there were no negative impacts for people with protected characteristics in Islington. Given that there are no new waste sites or 'priority areas' in Islington, there is limited scope for negative impacts. There may be positive impacts given that the plan encourages recycling across the borough and also seeks to ensure that recycling facilities provided as part of new development are inclusively designed and accessible.

Further to the RIA, a EQIA screening tool has been completed and shows no negative impacts. Notwithstanding this a more in-depth Equalities Impact Assessment has been carried out on the NLWP by Urban Vision consultants, as part of the plan-making process. This has been updated as an addendum for the adoption plan (appendix 4).

## **5. Reasons for the decision:**

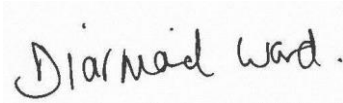
- 5.1 Each Local Planning Authority is required to have a waste plan. Adopting this joint NLWP will help achieve sustainable waste management by providing a sound basis for the provision of waste management infrastructure, contributing to the conservation of resources by improving the efficiency of processing and making better use of waste created within North London.

## Appendices

- Appendix 1 – North London Waste Plan incorporating main and minor modifications
- Appendix 2 – Report on the Examination of the North London Waste Plan
- Appendix 3 – Main modifications appendix to Report on the Examination of the North London Waste Plan
- Appendix 4 – North London Waste Plan adoption stage Equality Impact Assessment addendum report

**Background papers:** None

### Signed by:



21 February 2022

Executive Member for Housing and Development

Date

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